
Ruling Xinjiang According to Law – Containing and Constraining

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China's rule of law is different . . . Our rule of law is not based on 'separation of powers', and we cannot follow the path of 'judicial independence' and 'judicial neutrality' in the West.

Zhang Chunxian, former party secretary of the
Xinjiang Uyghur Autonomous Region, 2015

Abstract

This article explores the centrality of the phrases 'rule of law' and 'ruling the country according to law' in China's political discourse under Xi Jinping, treating them not only as political slogans but also as a key analytical lens for examining contemporary Chinese governance. Focusing on the Xinjiang Uyghur Autonomous Region, the article examines the impact of Xi's vision on the region's minoritised populations, particularly their religious and cultural practices. Through a close reading of Chinese academic, policy, and normative documents, the article concludes that while the systematisation and professionalisation of judicial and governance processes in Xinjiang might suggest a move towards the rule of law, the reality is far more complex. Beijing's emphasis on the security and stability of the area poses significant challenges to the region's minoritised communities' ability to preserve their unique ways of life. Rather than adhering to essential criteria such as the separation of powers and the supremacy of law, China is establishing a socialist rule of law with Chinese characteristics, challenging the conventional understanding of the concept

and ‘enriching’ it with compulsory loyalty to the Chinese Communist Party and ‘Xi Jinping Thought’.

Keywords: *China; rule of law; Xi Jinping; religion; Chinese Communist Party; Uyghur*

Introduction

The phrases ‘rule of law’ (*fazhi*) and ‘comprehensively ruling the country according to law’ (*quanmian yifa zhiguo*) have become central to China’s political discourse under Xi Jinping. This text examines how Xi’s vision of the rule of law in China translates into governance of the Xinjiang Uyghur Autonomous Region, also known as East Turkestan.¹ Further, it discusses how the implementation of Xi’s aspirations affects the region’s minoritised people, particularly their religious and cultural practices.

For decades, Xinjiang has been subjected to ‘special treatment’ due to ongoing concerns frequently raised by China’s political leadership, usually centring around the security threat posed by the so-called three evil forces (*sangu shili*)² and the perceived influence of pan-Turkism and pan-Islamism in the region. This ‘special treatment’ has been distinct from activities in other parts of China (including Tibet) and has been intended to combat ‘anti-China forces’ and to secure this vast yet enormously strategic part of the People’s Republic of China (PRC), especially since the announcement of the Belt and Road Initiative in 2013. Outside of the PRC, its policies towards Xinjiang are repeatedly criticised as severe human rights breaches by scholars, NGOs, governments, and even UN bodies. This criticism includes accusations of, among other things, crimes against humanity (OHCHR 2022b), (cultural) genocide (see Roberts 2020; Smith Finley 2020; Tobin 2021), eliticide (see Qazanchi 2021), mass incarceration and enforced labour (see Byler 2022).

In contrast, China and its political allies argue that these government measures are necessary to curb violent terrorism, ethnic separatism and religious extremism, which they portray as trying to infect not just China but the whole region. China rejects all such criticisms and accuses the US and Western countries of hypocrisy, fabricating stories and spreading lies to contain China by destabilising Xinjiang (OHCHR 2022a: 82). Many states even praise China for doing a great job in this regard (see Yellinek and Chen 2019). This support, however,

may often be motivated by economic incentives, by economic coercion or simply by the fact that these states also have questionable human rights records (Hayes 2023: 197-198).

According to Duan Yangwei from the Northwest University of Political Science and Law in Xi'an, China has gradually developed a legal approach to counterterrorism and de-extremisation tailored to its specific needs. He adds that the international community should respect different approaches to counterterrorism based on the rule of law (Jiang 2024), which echoes the PRC's response to the UN Xinjiang assessment, stating that Xinjiang has earnestly upheld the socialist rule of law in fighting against terrorism and extremism (OHCHR 2022a: 1). Moreover, according to the 2023 Blue Book of Xinjiang's Human Rights (jointly edited by Xinjiang University and Southwest University of Political Science and Law), following a period of rampant terrorism in the region, the rule of law was restored in Xinjiang under the leadership of the Chinese Communist Party (CCP), which is portrayed as a guarantor, protector and modernising force in the region (Simayi and Zhang 2023: 1-2).

The government's actions in Xinjiang are typically supported, sometimes retroactively,³ by normative documents explicitly issued for the area of Xinjiang, including the 'Measures of the Xinjiang Uyghur Autonomous Region for Implementing the Antiterrorism Law of the PRC' of 2016, the 'Regulations on Deradicalisation of Xinjiang' of 2017, amended in 2018, and the 'Xinjiang Regulations on Religious Affairs' of 1994, amended in 2014 and 2024. Therefore, in light of this special treatment of the region, it is not surprising that the general concept of '*yifa zhiguo*' (ruling the country according to law) has its Xinjiang-specific variant, '*yifa zhijiang*', ruling Xinjiang according to law. What does 'ruling Xinjiang according to law' entail, and what is its underlying rationale? What are the implications of this approach for the region's minoritised populations?

To answer these questions, the following paragraphs provide a brief overview of key events in the development of the rule of law in China. The focus then shifts to Xinjiang, examining the outcomes of the three Xinjiang Work Forums held in 2010, 2014 and 2020, which have significantly influenced Beijing's policy towards this westernmost region. The second and third forums were especially crucial, as the *yifa zhijiang* became one of the fundamental concepts pushed forward by Xi Jinping himself after he became the leader of the PRC. Additionally, the textual analysis draws on relevant academic and non-academic Chinese

and Western sources that discuss the concept of *yifa zhijiang*, further elucidating the main components of Beijing's strategy. This article connects these sources with examples of actual legislation and policy implementation. It suggests that what 'ruling Xinjiang according to law' means for the minoritised people of the region is actually further constraining their cultural practices and bureaucratising religious affairs, all justified in the name of security, economic development and the greater good, under the guise of the 'rule of law'.

The Rule of Law and the Chinese Communist Party

According to its proponents, the rule of law is a cornerstone of a well-developed society. It is a principle of governance that prioritises political stability, peace and universal justice. By preventing those in power from abusing their authority, it fosters trust in the government, which is crucial for economic prosperity and social progress (see Ahtela 2020; Dettman 2024; Savoy 2019). Although confidence in the government in China is reportedly among the highest globally (Edelman Trust Barometer 2025: 6), the UN emphasises that the effective rule of law requires laws to be publicly known, fairly enforced and judged by an independent judiciary while aligning with international human rights standards (United Nations 2024). However, critical voices, such as Mattei and Nader (2008: 122), portray the rule of law as a Western concept often used for economic and political dominance, notably in societies with different conceptions of legality (Mattei and Nader 2008: 122). While discussions about the universality of the rule of law are indeed crucial to keep this concept alive and ideally without any political underpinnings of imperialism or orientalism (see Peerenboom 2004: 135; Ruskola 2013), there is a danger that abandoning universal normative standards altogether may legitimise alternative conceptions of legality that weaken protections of individual rights and accountability in the international order.

China actively uses the term 'rule of law', viewed as a symbol of a highly developed society, to describe its policies and ongoing administrative and legal reforms. However, is this merely a window-dressing strategy to obscure reality or a deliberate deception aimed at both domestic and international audiences?⁴ This question can be situated within broader scholarly debates on what Javier Corrales (2015) and Kim L. Scheppelle (2018) describe as 'autocratic legalism', namely the use of legal reforms, constitutionalism and institutional procedures to

strengthen political control while preserving the appearance of legality and good governance. The Chinese case demonstrates how legal institutionalisation may coexist with the consolidation of one-party rule and the subordination of judicial institutions to political authority.

For many decades, China's political leadership has aspired for it to be recognised as a rule-of-law country, initially for practical reasons and later as a status symbol. The practical reasons date back to Deng Xiaoping's era (1978-1997), when his policies of opening up China to the world aimed to attract foreign investments. During this period, it was crucial to establish a stable and trustworthy administrative and legal environment to alleviate foreign investors' concerns and distrust following previous decades of turmoil and China's explicit hostility towards the developed world. In the 1990s and 2000s, the Chinese government initiated reforms that significantly improved the legal system (Ye 2021: 1880-1881) and established a level of legal certainty that motivated international companies to take a risk and invest in the PRC.

In 1999, an amendment incorporated the concept of the rule of law into the Chinese constitution. It is included in Article 5, which reads that the 'People's Republic of China governs the country according to law and makes it a socialist country under the rule of law' (NPC 2024). A decade later, in 2009, the Central Political and Legal Affairs Commission published a *Guide to Understanding the Socialist Rule of Law* describing the five fundamental concepts: governing the country according to law, law enforcement for the people, fairness and justice, serving overall interests and party leadership (Central Political and Legal Affairs Commission 2009). The momentum for the 'rule of law' significantly increased after Xi Jinping assumed leadership in 2012. Chinese academics and politicians began to debate intensively the nature of the rule of law, its implementation and whether it should align with the 'Western' interpretation or follow a distinctively Chinese path, described as 'with Chinese characteristics'.⁵ As Xi Jinping began his first term, discussions focused on the relationship between the Communist Party, the state, and the law, with significant attention given to intra-party regulations (see Chen 2013; Li 2014; Zhang 2014). These regulations were seen as crucial to realising Xi's vision of establishing a rule of law with Chinese characteristics ahead of the country's centenary. Baogang Guo calls this process of modernising and legalising the Chinese party-state system a 'partocracy with Chinese characteristics' (Guo 2020: 809-810). Shortly after Xi took office, the CCP Central Committee issued a 'Decision of the CCP Central

Committee on Major Issues Concerning Comprehensively Advancing the Rule of Law' (CC CCP 2014). A few years later, in 2021, it introduced a five-year plan for building a rule-of-law China (CC CCP 2021). According to the Law-Based Governance Committee, established at the Nineteenth CCP Congress, the rule of law for the country, governance and society is expected to be fully realised in China by 2035 (Zhu 2020). In this way, the idea of the rule of law as a status symbol has gradually developed and gained prominence, particularly under Xi Jinping, who has repeatedly endorsed the concept and emphasised the need to establish it in China. However, some of its essential characteristics have faded away from official Chinese discourse.

The most notable faded-out elements are the separation of powers to ensure judicial independence and the supremacy of law, particularly in relation to the CCP's leading role. China's top leadership does not conceal this omission. Instead, it emphasises the need to adapt the rule of law to Chinese conditions, the most important of which is the unquestionable leading role of the Communist Party. The former president of the Supreme People's Court, Zhou Qiang, stated that courts in China must resist the Western idea of judicial independence and other ideologies that threaten the leadership of the CCP (Reuters 2017) and that therefore endanger the stability of China. According to Xi Jinping, party leadership is the most essential feature of socialism with Chinese characteristics and the most fundamental guarantee of the socialist rule of law (CPG 2014). Thus the concept of the rule of law has been redefined by the Chinese leadership as 'socialist rule of law with Chinese characteristics', embedding clear ideological underpinnings aimed at preserving the CCP's leading role while standardising legal and governance processes to enhance control.

The CCP's Vision of a Socialist Rule of Law with Chinese Characteristics

'When the rule of law flourishes, the country flourishes. When the rule of law is strong, the country is strong.' This phrase opens China's first five-year plan for establishing the rule of law, which was published in 2021 as the 'Plan for Building a Rule-of-Law China (2020-2025)' (CC CCP 2021). This document is noteworthy for several reasons: it clarifies the guiding principles for building the rule of law in China, outlines the stages of this development, and envisions the global impact of the Chinese version of the rule of law.

The guiding principles listed in the first section include an insistence on the CCP's centralised, unified leadership as the most fundamental guarantee of the rule of law in China. It emphasises implementing 'Xi Jinping Thought'⁶ on the socialist rule of law with Chinese characteristics, prioritising the interests of the people in establishing the rule of law and promoting coordinated progress in law-based governance. This involves combining the rule of law with governing the party according to its rules (*yigui zhidang*) and integrating the rule of law with the rule of virtue (*dezhi*), incorporating virtuous leadership, social harmony, education and moral cultivation. The inclusion of the rule of virtue reinforces the idea that the CCP rules not only through the law but also by moral superiority, aligning with the traditional Confucian philosophy of governing the state. The document also focuses on addressing the prominent issues concerning the Central Committee and the people, promoting the modernisation of the national governance system and governance capacity and enhancing effectiveness. Lastly, it stresses the need to consider national circumstances and characteristics when establishing the rule of law, while also drawing on Western experiences where appropriate.

This document outlines two overall objectives and their respective deadlines. By 2025, China aimed to strengthen the institutional framework for the rule of law, establish a more comprehensive socialist legal system with Chinese characteristics, create a more efficient judicial system and enhance the application of internal party regulations. According to the plan, by 2035 China aims to establish a socialist rule-of-law system with Chinese characteristics. Under this system, the state, government and society are expected to operate in accordance with the 'rule of law', while the people's rights to equal participation and development (*pingdeng canyu, pingdeng fazhan de quan li*)⁷ are to be fully guaranteed. The plan also states that the national governance system and governance capacity should be fully modernised by that time (CC CCP 2021). This document is part of the so-called 'One Plan Two Outlines' (*yi guihua liang gang-yao*) together with the 'Outline for the Construction of a Rule-of-Law Society (2020-2025)' (Renminwang 2020) and the 'Outline for the Construction of a Rule-of-Law Government (2021-2025)' (CPMN 2021). However, these documents may serve as what Thomas Kellogg (2018: 497) describes as a false blueprint, showing little or no willingness to pursue reforms that would institutionalise the rule of law in China. The CCP uses such statements to legitimise its rule by

sustaining the political fiction that China is transitioning towards the rule of law.

The next section focuses on the concept of 'ruling Xinjiang according to law'. To explain Beijing's unique approach to the region, it examines policy developments shaped by the three Xinjiang Work Forums and the evolution of Xi Jinping Thought on Xinjiang.

The Central Xinjiang Work Forums

Over the past two decades, the government's special treatment of Xinjiang has been notable for the organisation of Xinjiang Work Forums. These forums are pivotal for the central government's policy decisions regarding the region.⁸ Despite their focus on Xinjiang, all three forums were held in Beijing, China's capital, rather than in Xinjiang itself.

The first Central Xinjiang Work Forum was held from 17 to 19 May 2010. This event underscored the region's significance to the central leadership following the Great Western Development Project (GWDP) of the 2000s.⁹ While the GWDP aimed to accelerate economic development, it had exacerbated inter-ethnic economic inequality (Szadziwski 2011: 99), culminating in the bloody Ürümqi protests of 2009. During the 2010 meeting, Hu Jintao called for 'leapfrog development' and lasting stability,¹⁰ and the party secretary of the region, Wang Lequan, was replaced by Zhang Chunxian. This move symbolised Beijing's discontent with the region's development. The goals announced included economic growth, increased investment, the resettlement of families, the sedentarisation of herders, bilingual education and improved employability. In addition, the regional government announced a nearly 90 per cent increase in the security budget (Cui 2010).

The second forum took place from 28 to 29 May 2014. Like the previous forum, it occurred in a tense atmosphere due to numerous bloody attacks preceding it,¹¹ which had prompted Xi Jinping to conduct an inspection visit to the region. In addition to the previously mentioned goals, the focus shifted towards addressing ethnic and religious issues, forging a collective identity and promoting inter-ethnic mingling (Leibold 2014). Xi stressed a need to intensify crackdowns on violent terrorist activities; enhance early warning, prevention and control capacities; and 'build an impregnable fortress and construct an inescapable net'.¹² Moreover, he added that China had to strengthen international antiterrorism cooperation. According to Xi, ethnic unity was a critical factor in Xinjiang's development. Therefore, it was

necessary to foster national consciousness and a sense of community among all ethnic groups within the Chinese nation, strengthen ethnic exchanges and interactions and promote bilingual education. Xi also underscored the need for the people to identify with the Chinese nation and culture and to pursue a modern and civilised life (Renminwang 2014). At the same event, Premier Li Keqiang emphasised the need to enhance the employability of the people in the region, highlighting the importance of education, particularly bilingual and vocational training (Renminwang 2014). In the following years, the Uyghur population in China faced the most severe repression since the Cultural Revolution, marked by mass incarceration, re-education campaigns, advanced surveillance, forced labour and cultural assimilation, among other forms of repression.

The third forum was held in Beijing from 25 to 26 September 2020. Xi pointed out outstanding achievements in the region since the previous meeting, mentioning various economic indicators, including increases in GDP, the annual growth rate, disposable income and investment in the area, as well as infrastructure development and affordable housing projects. According to his address, 2,929,200 people had been lifted out of poverty, the majority of them from southern Xinjiang (CPG 2020). Apart from the positive-sounding numbers, Xi Jinping emphasised the need for the rule of law in Xinjiang and outlined his ‘twenty characters’ general vision for governing the region (*ershi zi fangzhen*). These can be translated as governing Xinjiang according to law, maintaining stability through ethnic unity, nourishing the region with culture, promoting prosperity among the local population and developing Xinjiang with a long-term perspective.¹³ While the phrases themselves do not hint at groundbreaking changes in official Xinjiang policy, a closer look may change the perspective.

What may sound like innocent, even positive ‘cultural nourishment’ can, in fact, mean the complete opposite, at least from the minoritised people’s perspective. China’s political leadership has traditionally blamed foreign anti-China forces, led by the United States, for advocating religious freedom and human rights protection as a pretext to criticise China. Besides, the Chinese government claims that these anti-China forces are trying to use religion to infiltrate and destabilise China. Ren Lili and Ilshat Ehmet of the Faculty of Law at Xinjiang University reiterate this narrative and further assert that, while the ‘three evil forces’ have been effectively contained in Xinjiang, their remnants remain vigilant for opportunities. The authors claim that the

long-standing influence of ethnic separatism and religious extremism has not yet been eradicated and that ethnic and religious barriers still exist to some extent, weakening the identification of people from all ethnic groups with the great motherland and Chinese culture (Ren and Ehmet 2022: 151). To improve ‘cultural nourishment’, the authors argue for intensifying patriotic education; popularisation of *Putonghua* over minority languages;¹⁴ enhancing legislation in the cultural field and guiding people with ideas of modern civilisation, mainstream cultural values and advanced cultural concepts; and constantly strengthening the cultivation of law-abiding awareness under the party’s guidance (Ren and Ehmet 2022: 155). At the Third Work Forum, Xi also introduced the ‘Eight Persistences’ (*ba ge jianchi*): adhering to the strategic review and planning of Xinjiang work, prioritising social stability and long-term peace, uniting people’s hearts and minds, fostering a strong sense of community among the Chinese people, guiding the Sinicisation of religions in China, promoting and cultivating core socialist values, advancing high-quality development aligned with people’s livelihoods and strengthening the party’s leadership in Xinjiang’s development.

These forums underscore the region’s importance to China’s top leadership, which followed a pattern of centrally decided policies implemented locally. As Henryk Szadziwski explains, this approach often excludes input from a significant proportion of grassroots stakeholders (Szadziwski 2011: 110). As part of the rule-of-law build-up in the region, China’s leaders address topics that may sound positive on paper but raise serious concerns in practice. These include poverty alleviation, often linked to enforced labour, relocation and sedentarisation; bilingual education, which actually reduces the use and availability of education in minority languages; cultural enrichment, leading to the sanitisation of local cultural practices and the destruction of local heritage; localisation of religion, particularly the Sinicisation of Islam; and combating terrorism and extremism, which is often used as a tool to suppress dissent and incarcerate those deemed untrustworthy by the authorities.

Ruling (Xinjiang) According to Law?

In an article published in *Xinjiang Daily* by Sui Yunyan, the rule of law is described as the cornerstone of national security and consolidation (Sui 2024). Since the Eighteenth National Congress of the Communist

Party of China in 2012, national and regional security concerns have become increasingly prominent. This heightened focus has directly impacted Xinjiang, a core region in Xi Jinping's Belt and Road Initiative, subjecting it to intense scrutiny.

Xia Wenbin, in a 2016 article for the *Journal of Xinjiang Normal University*, identifies three key issues hindering the complete establishment of the rule of law in Xinjiang. The first is incomplete legislation in areas such as counterterrorism and stability maintenance, as well as legislation that does not reflect reality in Xinjiang. The second problem, according to Xia, is problematic law enforcement and the cadres' weak legal awareness. The third issue is the lack of authority and credibility of the rule of law because people believe in religion but not in law (*xin jiao bu xin fa*) or believe in religion more than law (*jiao da yu fa*) (Xia 2016: 19). We have already seen how the Chinese leadership reflected these suggestions in the following years. The basic principles for governing Xinjiang according to law mirror the 2014 Decision (CC CCP 2014), particularly in stressing the party's leading role. Given the increasing restrictions on religious practice in the region and across China under Xi Jinping's leadership, including the transfer of the administration of religious affairs to being directly under the CCP's United Front Work Department, the following discussion provides further insights through an examination of several key normative documents.

The socialist rule of law with Chinese characteristics is a vital component of Xi Jinping's Chinese Dream of National Rejuvenation under the Communist Party of China's centralised leadership. This plan should be fulfilled by 2049, when China will have become 'a rich, strong, democratic, civilised, harmonious and beautiful modern socialist country',¹⁵ as Xi stated at the Nineteenth Party Congress in October 2017 (Renminwang 2017). However, ethnic and especially religious minorities were seen as posing challenges to this goal, as their religious beliefs might lead them to recognise higher authorities than the CCP. While the constitution declares that China is a unified, multi-ethnic state and guarantees freedom of religion and the protection of minority cultures, the reality is more complex, and the protection of cultural and religious rights is rather selective. The constitution claims to protect 'normal' religious activities; however, what constitutes 'normalcy' remains unclear, leaving room for reinterpretation and ongoing suppression of religious freedoms.

The issuance of numerous new laws, amendments and regulations is emblematic of the development of the so-called rule of law in China,

or, more precisely, the socialist rule of law with Chinese characteristics. Through a steady stream of increasingly restrictive laws and regulations, and under the guise of juridification, professionalisation and securitisation, the Chinese government is gradually curtailing religious freedoms while simultaneously infusing religious teachings with secular and patriotic content to ensure the Chinese Communist Party's singular authority over spiritual affairs in China.

The 23 decrees of the National Religious Affairs Administration (NRAA) illustrate this strategy. Eleven of them were issued between 2020 and 2025. The NRAA, formerly known as the State Administration for Religious Affairs (SARA), was absorbed by the CCP's United Front Work Department in 2018. This organisational change underscored the CCP's commitment to this agenda and indicated that the party sought direct control over religious affairs in China. The main goal of these management measures is to standardise, systematise and Sinicise religious affairs in China, a process I refer to as the bureaucratisation of religious affairs. These documents cover a wide range of issues, including religious practitioners, religious venues, the organisation of the Hajj pilgrimage, religious education institutions and religious internet services. They detail who can take part in religious affairs and when, where and how they can do so, significantly narrowing the already limited space for religious practice. While regulating such practice is a substantial part of the measures, another critical aspect is the inclusion of ideology and the demand for allegiance to the Communist Party and its values. Considering that the CCP claims to build on, among others, the teaching of Marxism, we are witnessing a bizarre infiltration of antireligious concepts into religious practice.

Here are a few examples. According to the 2021 'Management Measures for Religious Education Institutions', leaders of religious education institutions must support the leadership of the CCP and the socialist system and contribute to the Sinicisation of religion (NRAA 2021: Art. 17). Their institutions must provide the necessary facilities for grassroots CCP organisations to establish themselves and conduct activities (NRAA 2021: Art. 21). This provision may seem somewhat peculiar, as party members are required to be atheists who should not engage in religious activities. These measures suggest that non-religious personnel should be present in these institutions, serving as an arm of party control. In terms of teaching content, a significant portion of courses should cover Xi Jinping's 'Thought on Socialism with Chinese Characteristics for a New Era', patriotism, socialist core

values, the rule of law and the national standard for spoken and written Chinese language (NRAA 2021: Art. 39-40). The ‘correct’ content of religious teachings was newly specified in the ‘Patriotic Education Law’, which came into effect on 1 January 2024 as part of China’s ‘rule of law’ build-up. It states that patriotic education should insist on the unity of patriotism, love for the party and socialism and should focus on maintaining national and ethnic unity to build a modern socialist state and realise the great rejuvenation of the Chinese nation (CPG 2023: Art. 3). On 4 January 2024, after the National Religious Groups Joint Conference, the representatives of the state-approved religious associations issued a joint statement that emphasised the intrinsic link between patriotism and all authorised religions in China; affirmed that patriotism should be integrated into the entire process of education and teaching in religious education institutions and into various subjects and textbooks; and endorsed the ‘four entrances’¹⁶ (NRAA 2024b).

Other measures significantly affecting the predominantly Muslim population of Xinjiang are the 2020 ‘Management Measures for the Administration of Islamic Hajj Affairs’. The government implemented strict controls over the pilgrimage by carefully selecting eligible pilgrims and organising closely supervised group tours. These regulations stipulate that only the China Islamic Association can organise pilgrimages to Mecca and decide on the yearly quota for the entire country (NRAA 2020: Art. 10). The organised pilgrimage also includes patriotic education to prevent the infiltration of religious extremist ideology that could jeopardise national security (NRAA 2020: Art. 35).

The visual aspect of religious venues is constrained by the 2023 ‘Management Measures for the Administration of Religious Venues’, which state that religious venues must ‘integrate Chinese culture and reflect Chinese style in architecture, sculpture, painting, decoration and other aspects’ (NRAA 2023: Art. 50). This vague stipulation, typical of Chinese legislation, leaves ample room for interpretation. The notion of ‘Chinese style’ is ambiguous, given China’s diverse artistic and architectural heritage. ‘Traditional’ styles vary widely based on geography and local customs. In reality, ‘Chinese style’ is a fabricated concept wielded by the government to impose its aesthetic preferences and especially its political influence.

As mentioned earlier, Beijing attaches great importance to Xinjiang’s (in)stability and has issued normative documents affecting the region. The ‘Xinjiang Regulations on Religious Affairs’ are among the most controversial ones, directly affecting the lives of religious groups, in

the case of Xinjiang predominantly Uyghur Muslims. The most recent amendment of these regulations, on 1 February 2024, goes even further than the 2023 management measures mentioned above. Article 26 states that 'Religious venues that are newly built or renovated, expanded or rebuilt should reflect Chinese characteristics' (NRAA 2024a: Art. 26). This means that what might be characterised as a minimal renovation could in fact result in a complete rebuilding of the venue. This decision can be made by a religious affairs department of the local people's government at or above the county level.

These new regulations can be contextualised within the Chinese Communist Party's 2018 Sinicisation of Islam campaign, which aimed to counter what the government perceived as the 'three -isations' (*sanhua*) of Islam in China: Saudisation, Arabisation and Halalisation (Li 2019; Ma 2020). Beijing considers these trends to be indicators of religious extremism sneaking into China from abroad (SCIO 2019).

While these regulations officially target matters related to religion, their effects are far-reaching across other spheres of Uyghur life, as many traditional Uyghur cultural activities are connected to religious practice. Despite official rhetoric promoting China's multi-ethnic and multicultural character, cultural policies increasingly diverge from this ideal (Stroup 2019). Numerous reports document the removal of distinctive mosque features such as domes, minarets and crescent symbols (FT Reporters 2023; Feng 2021). The government justifies these actions by labelling such elements as imports associated with radical Islam. Similarly, the cultures of ethnic minorities are commonly reduced to stereotypical portrayals of people singing and dancing in colourful costumes, commodifying their members as exotic entertainers for the majority population (Fällman 2017: 188; Gladney 1994: 97). Their traditions are selectively preserved, while others are suppressed, sanitised or appropriated, leading to a loss of their vitality, diversity and authenticity (Anonymous 2021: 134).

Similar policies affect the usage of minority languages, which have already become secondary to *Putonghua*. The 2018 white paper on Cultural Protection and Development in Xinjiang states that 'promoting standard Chinese learning and usage by law helps different ethnic groups to communicate, develop, and progress' (SCIO 2018). This statement aligns with the so-called 'bilingual education' policies implemented in Tibet and later in Xinjiang, which prioritise *Putonghua* over minority languages.¹⁷ The white paper also mentions hundreds of protected historic sites and museums established by the Chinese

government, adding that, for example, Muqam and Dastan are listed as intangible cultural heritage (SCIO 2018).¹⁸ However, this standardises and sanitises these traditions, stripping them of any religious connotations and of their diversity. As Rachel Harris points out, the folkloric promotion of Muqam and Meshrep gatherings supports the reduction of traditional Uyghur culture to music and dance (Harris 2022: 135). Other traditions, such as Mazar festivals,¹⁹ are regarded as signs of extremism: sacred places associated with these events are often desecrated by the authorities (Thum 2020), and pilgrimage to such places is banned (Hällzon and Seher 2023: 346). Thus ‘cultural protection’ in fact seems to be the preservation of a carefully curated past as a colourful and exotic tourist attraction, disconnected from the actual lives of people in the region.

Additionally, some of the new normative documents specifically issued for Xinjiang to strengthen the ‘rule of law’ appear rather peculiar. On 31 March 2024, the People’s Congress of the Xinjiang Uygur Autonomous Region adopted the ‘Kashgar Old City Protection Regulations’. These regulations claim to protect Kashgar’s historical and cultural heritage and foster ethnic harmony and national unity (XUAR Culture and Tourism Department 2024: Art. 1). Yet this rhetoric clashes with the reality of the city’s transformation. Kashgar, a symbolic heartland of Uyghur culture and its unofficial capital, underwent extensive demolition and rebuilding in the early 2000s. UNESCO’s efforts to preserve its authentic core were met with opposition from the Chinese government (UNESCO 2004: 25). The labyrinthine structure of the old city, once valued as a cultural asset, was perceived by Beijing as a potential security risk, allegedly harbouring separatist and extremist elements (Dillon 2015: 253; Liu and Yuan 2019: 36). In response, the authorities demolished or rebuilt 7,555 homes and permanently relocated 1,379 residents. The old city’s layout was also significantly altered to enhance accessibility and surveillance (Liu and Yuan 2019: 37-38).

This transformation, presented as a heritage preservation and urban development initiative, raises questions about the true motives behind these policies. While the official narrative highlights cultural revitalisation and social harmony, the reality suggests a more complex agenda, one that prioritises control and surveillance over cultural authenticity and community autonomy.

Conclusion

The concept of the 'socialist rule of law with Chinese characteristics', when stripped of its ideological underpinnings and the goal of protecting the CCP's leadership, aims to standardise legal and governance processes. This approach extends to its localised variant in Xinjiang, which prioritises security over substantive legal principles. The whole process involves issuing new laws and regulations for virtually every aspect of life. While standardising and professionalising legal and administrative processes can be seen as a logical step towards the rule of law, the Chinese context is distinct. When Chinese politicians refer to the 'rule of law', they mean the socialist rule of law with Chinese characteristics, which diverges from fully realised rule of law, particularly in key areas such as the separation of powers and equality before the law. The CCP's absolute authority in shaping the legal system while remaining largely exempt from its own constraints further complicates the issue. Moreover, incorporating the rule of virtue into the concept of the socialist rule of law with Chinese characteristics grants the party an air of moral superiority.

The implications for regions with substantial non-Han populations, such as Xinjiang, are profound. Standardising legal and governance processes aims to prevent actions that may fall outside the party's control. However, minority groups often struggle to fit within this standardised framework, posing challenges to the government. In response, the authorities employ various strategies to homogenise the populace by promoting Han-centric Chinese characteristics, intensifying patriotic education, unifying the common language, eliminating foreign influences and rewriting history to align with the party's official narrative while discrediting any critical voices as unpatriotic and nihilistic. These efforts are reinforced by newly enacted or amended laws and regulations, lending government policies an aura of legality.

Under the guise of the rule of law and in the name of security and social stability, marginalised communities in Xinjiang face increasing limitations on their ability to sustain cultural and religious practices. These traditions are at risk of becoming mere historical remnants or, worse, commodified spectacles for tourists. The case of Xinjiang serves as a reminder that even positive concepts such as the rule of law can be distorted and manipulated in ways that do not lead to a better, more egalitarian society.

Notes

- 1 Recently, some native scholars have begun using the term ‘Uyghur homeland’ to avoid the colonial connotations of both ‘Xinjiang’ and ‘East Turkestan’. However, as this article focuses on Beijing’s administration of the region, it uses the official designation ‘Xinjiang Uyghur Autonomous Region’, or ‘Xinjiang’ for short, as it appears in official documents.
- 2 The three evil forces are terrorism, separatism and religious extremism.
- 3 The Regulations on Deradicalisation of Xinjiang were swiftly amended in 2018 to confirm and legalise the existence of the so-called vocational education and training centres, a euphemism for the incarceration camps that had been operating in the region since 2016 (FLK 2018; Lavička 2024).
- 4 The concept of ‘window-dressing’ is borrowed from Ginsburg and Simpser (2013: 7), who describe it as one of the roles that constitutions may play in authoritarian countries. Günter Frankenberg (2018: 1-16) further explains how authoritarian regimes use constitutions as instruments of illusion, manipulation and control rather than as genuine frameworks for legal and political order.
- 5 In 2015, the largest academic database in China, the China National Knowledge Infrastructure, recorded a peak of 1,153 articles published in that year containing the keyword *fazhi* (rule of law) and 1,584 containing the keyword *yifa zhiguo* (ruling the country according to law) (Lavička 2025: 281).
- 6 ‘Xi Jinping Thought’, short for ‘Xi Jinping Thought on Socialism with Chinese Characteristics for a New Era’ (‘Xijinping xin shidai zhongguo tese shehui zhuyi sixiang’ 习近平新时代中国特色社会主义思想), is the guiding political ideology of the CCP under Xi Jinping. It was formally incorporated into the CCP constitution in 2017 and into the Constitution of the People’s Republic of China in 2018.
- 7 This phrase in the CCP discourse primarily refers to participation within the socialist political framework and to equal access to socioeconomic development opportunities, rather than to liberal-democratic political participation.
- 8 The Tibet Work Forums have a longer tradition, with the first held as early as 1980 and the seventh and most recent in 2020.
- 9 The project was proposed by Jiang Zemin at the Ninth National People’s Congress in 1999.
- 10 In this context, ‘leapfrog development’ (跨越式发展, *kuayueshi fazhan*) referred to the notion that the region could bypass intermediate stages of development and accelerate modernisation through advanced technologies, infrastructure development and institutional innovation.
- 11 Examples include an attack using a car at Tiananmen square, Beijing, on 28 October 2013; a knife attack at Kunming railway station on 1 March 2014; a bomb attack in Ürümqi on 30 April 2014; and a car and bomb attack in Ürümqi on 23 May 2014.
- 12 In Chinese *zhuqi tongqiang tiebi, goujian tianluo diwang*.

- 13 In Chinese *yifa zhijiang, tuanjie wenjiang, wenhua runjiang, fumin xinjiang, changqi jianjiang*.
- 14 *Putonghua* is the official standard spoken language of the PRC, commonly known as Mandarin.
- 15 *Fuqiang minzhu wenming hexie meili de shehuizhuyi xiandaihua qiangguo*.
- 16 Known in Chinese as *sijin* 'four entrances' has been the CCP's religious policy since 2018. The policy mandates the display of the national flag, the promotion of the constitution and national laws, the cultivation of core socialist values and the incorporation of traditional Chinese culture within religious venues (CPMN 2019).
- 17 Former Xinjiang party secretary Wang Lequan also stated that minority languages cannot contain the modern vocabulary necessary for modern science and technology, and therefore instruction must be in *Putonghua* (UHRP 2014).
- 18 Muqam is a traditional Uyghur musical suite combining vocal, instrumental and dance elements, while Dastan is a form of oral epic storytelling, often performed with musical accompaniment.
- 19 A Mazar is a Muslim shrine or sacred tomb, often associated with a saint or revered religious figure, that functions as a site of pilgrimage and devotional practice among Uyghur communities.

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